



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

Gaming Control Board

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: 1239 LOOP PROPERTIES, LLC D/B/A EAGLES TRUCK STOP NO. 1600511610A

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of October 19, 2004. The Hearing Officer's order dated September 28, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Revocation", between 1239 Loop Properties, LLC d/b/a Eagles Truck Stop, No. 1600511610A, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 19 day of October, 2004.

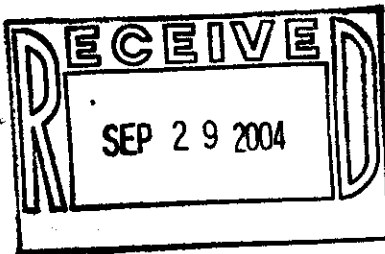
LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 20th DAY
OF October, 2004

APPEAL DOCKET CLERK

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED

SEP 20 2004

LCCB
ADMINISTRATIVE HEARING OFFICE

IN RE: 1239 LOOP PROPERTIES, LLC d/b/a
EAGLES TRUCK STOP

CASE NO. 1600511610A

**JOINT MOTION FOR ENTRY OF STIPULATION
AND APPROVAL OF PROPOSED SETTLEMENT**

ON THE JOINT MOTION OF:

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division"), and
2. 1239 Loop Properties, LLC d/b/a Eagles Truck Stop, License No. 1600511610 (hereinafter "licensee"),

who respectfully represent the following:

WHEREAS:

1. On March 18, 2004, the Division conducted an on-site compliance inspection of the licensee's premises;
2. The Division's inspection revealed sixteen significant potholes located throughout the parking area, indicating that the parking lot did not meet the standard for a stable parking area for eighteen-wheel tractor-trailer motor vehicles;
3. The licensee is required by LAC 42:XI.2415(D)(5) and La. R.S. 27:306(A)(4)(c)(iii)(aa) to maintain a stable parking area for at least fifty eighteen-wheel tractor-trailer motor vehicles;
4. Based on the Division's findings, the Louisiana Gaming Control Board issued a Notice of Recommendation of Revocation to the licensee on July 8, 2004, citing violation of LAC 42:XI.2415(D)(5) and La. R.S. 27:306(A)(4)(c)(iii)(aa);
5. On August 13, 2004, the Division conducted a re-inspection of the licensee's premises, whereby the Division found that all deficiencies with the parking lot had been remedied and that the licensee was otherwise in compliance with statutory requirements;
6. This matter has been scheduled for hearing on September 8, 2004 at 9:00 a.m. before the Honorable William H. Brown,

TRUE COPY

Representative

Louisiana Gaming Control Board

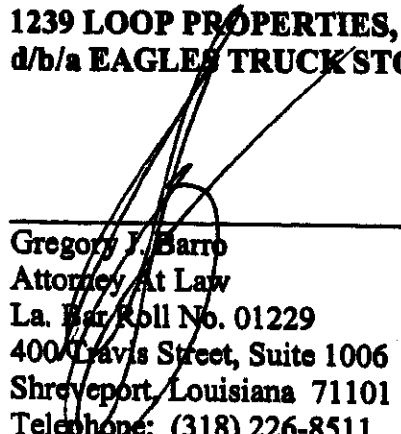
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of LAC 42:XI.2415(D)(5), in that did not maintain its parking area in accordance with La. R.S. 27:306(A)(4)(c)(iii)(aa);
2. In lieu of revocation of the licensee's video gaming license, the licensee shall pay a civil penalty in the amount of **TEN THOUSAND-FOUR-HUNDRED-FIFTEEN DOLLARS AND TWENTY CENTS (\$10,415.20)**, which represents the licensee's share of ten (10) days of video gaming revenue (see attached Exhibit A);
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Revocation;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and 1239 Loop Properties, LLC d/b/a Eagles Truck Stop pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the video gaming license of the licensee being suspended and its gaming devices being disabled until the civil penalty is paid in full; and
8. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted,

1239 LOOP PROPERTIES, LLC
d/b/a EAGLES TRUCK STOP

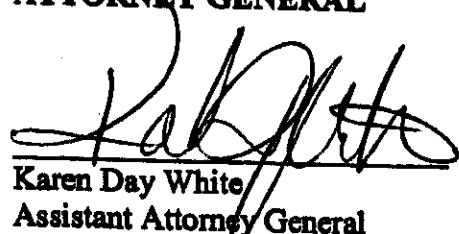
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**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

**IN RE: 1239 LOOP PROPERTIES, LLC d/b/a
EAGLES TRUCK STOP**

CASE NO. 1600511610A

ORDER

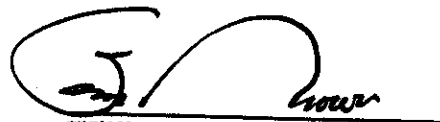
Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

1. the licensee acknowledges that it was in violation of LAC 42:XI.2415(D)(5), in that did not maintain its parking area in accordance with La. R.S. 27:306(A)(4)(c)(iii)(aa);
2. in lieu of revocation of the licensee's video gaming license, the licensee shall pay a civil penalty in the amount of **TEN THOUSAND-FOUR-HUNDRED-FIFTEEN DOLLARS AND TWENTY CENTS (\$10,415.20)**, which represents the licensee's share of ten (10) days of video gaming revenue;
3. payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the video gaming license of the licensee being suspended and its gaming devices being disabled until the civil penalty is paid in full.

THUS DONE AND SIGNED this 10th day of Sept, 2004 in
Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 10th DAY
OF September 10, 2004
Bill Domingue
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Gregory Barr
Loren White


William H. Brown
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 9/10/04
Bill Domingue
BY: CLERK

EXHIBIT A

1239 Loop Properties, LLC d/b/a Eagles Truck Stop Revenue Calculation

Net Revenue (before franchise fees)	
March 1, 2004 through July 31, 2004	\$ 472,155.73
<u>Less Franchise Fees (32.5%)</u>	<u>- \$ 153,450.61</u>
Net Revenue less franchise fees	\$ 318,705.12
<u>Less Split with Device Owner (Power Gaming)</u>	<u>- \$ 159,352.56</u>
Total Net Revenue	\$ 159,352.56
March 1, 2004 through July 31, 2004	
Average Daily Revenue (153 days total)	\$ 1,041.52
	<u>x 10 days</u>
Total Civil Penalty	\$ 10,415.20